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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,263	03/23/2006	David R. Wisely	36-1976	5149
23117	7590	04/15/2008	EXAMINER	
NIXON & VANDERHYE, PC			QUADER, FAZLUL	
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ARLINGTON, VA 22203			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/573,263	WISELY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Fazlul Quader	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 23 March 2006.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-10, 14, 20, 21, 23-28, 30, 31, 33-37 and 46-57 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-10, 14, 20, 21, 23-28, 30-31, 33-37 and 46-57 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 23 March 2006 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>07/18/2007, 07/04/2007</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

1. Claims 1-10, 14, 20, 21, 23-28, 30, 31, 33-37 and 46-57 are pending in this application.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 36-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to claims 36 and 37 the “A signal carrying search result”, and “communicate a signal”, may be an electromagnetic signal. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, machine, manufacture, or a composition of matter. Instead, it includes a form of energy. Energy does not fall within a statutory category since it is clearly not a series of steps or acts to constitute a process, not a mechanical device or combination of mechanical devices to constitute a machine, not a tangible physical article or object which is some form of matter to be a product and constitute a manufacture, and not a composition of two or more substances to constitute a composition of matter.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10, 14, 20, 21, 23-28, 30, 31, 33-37 and 46-57 of the current application (effective filing date: Mar. 23, 2006) are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (US 20020007379; pub. date: Jan. 17, 2002), hereinafter “Wang” in view of Olshansky et al. (US 7239629; filing date: Dec. 01, 1999), hereinafter “Olshansky”.

5. As for claim 1, Wang discloses, a method of searching for data to be retrieved from a distributed computer system connected over a communications network (Wang: [0003]), the method comprising:

initiating a search communication session at a user end terminal (Wang: abstract); the method comprising:

generating a search request comprising at least one search criterion and a permanent user identifier which can be mapped to an address in the distributed computer system at a user end terminal, identifier said search communications session (Wang: [0071]);

modifying the search request at a user end terminal to indicate at least one user preference (Wang: [0006]);

forwarding the search request to a proxy server using automatic speech generation means to convert the search request to a suitable spoken version to query a data source addressed by a telephone number (Wang: abstract);

forwarding the spoken version of the search request to said data source by phoning said telephone number (Wang: [0010]);

speaking the search request as a telephone query using automated speech technology (Wang: [0010]);

generating a search result message comprising an audio file recording the answer given to the query (Wang: [0002]; [0010]);

conveying the search result message to the proxy server, whereby data satisfying the search request is retrievable from the distributed computer system by the user (Wang: [0046]);

providing the search result to a user end terminal selected in accordance with one or more user preferences after the initial search session has terminated (Wang: [0010]);

wherein additional information is included in the search request which is obtained either automatically or on request by the user's terminal or by the proxy server administering the search (Wang: [0047]).

Wang, however, does not explicitly disclose, "a permanent user identifier which can be mapped to an address in the distributed computer system";

Olshansky, on the other hand, discloses, "a permanent user identifier which can be mapped to an address in the distributed computer system" (Olshansky: col. 10, lines 30-53).

Both Wang and Olshansky are of the same field of endeavor, they specifically teach multi-service network (Wang: abstract; Olshansky: abstract).

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Olshansky into Wang of system and method for transcoding information for an audio or limited display user interface, that would have allowed users of Wang to have a useful method, to deliver communication services to customer devices, and more particularly to a multiservice network providing communivation services. (Olshansky: col. 1, lines 6-9).

6. As for claim 2, Wang as modified discloses, a method as claimed in claim 1, wherein the search results returned by the data source include information specific to the entity generating the search request (Wang: [0010]).

7. As for claim 3 Wang as modified discloses, a method as claimed in claim 1, wherein the search results returned by the data source include information specific to an entity to whom the at least one search criterion relate (Wang: [0010]; [0107]).

8. As for claim 4, Wang as modified discloses, a method as claimed in claim 2, wherein one of said user preferences includes a criterion defining the extent to which a search result must conform to the search request before a search result can be communicated to a user end terminal (Wang: [0090]).

9. As for claim 5, Wang as modified discloses, a method as claimed in claim 4, wherein the search result is forwarded by the data source to the proxy server, and the user preference includes a criterion to indicate that if a search result conforms sufficiently to the search request, then the search result is to be communicated by the proxy server to a predetermined user end terminal (Wang: [0047]).

10. As for claim 6, Wang as modified discloses, a method as claimed in claim 1, wherein the search request includes a priority indicator, and said user preference includes a criterion to indicate that if a search result is received with said priority indicator then the search result is to be communicated by the proxy server to a predetermined user end terminal (Wang: [0090]).

11. As for claim 7, Wang as modified discloses, a method as claimed in claim 1, wherein the search result includes a user-requested search content indicator, and said user preference includes a criterion to indicate that if a search result is received with said user-requested search content indicator, then the search result is to be communicated by the proxy server to a predetermined user end terminal (Wang: [0090]-[0091]).

12. As for claim 8, Wang as modified discloses, a method as claimed in claim 7, wherein the user-requested search content indicator is assigned by the proxy server to indicate a type of file (Wang: [0054]).

13. As for claim 9, Wang as modified discloses, a method as claimed in claim 8, wherein the user-requested search content indicator is assigned by the proxy server to indicate a subject content of a file (Wang: abstract).

14. As for claim 10, Wang as modified discloses, a method as claimed in claim 1, wherein the predetermined user end terminal is the user end terminal which the user is associated with at the time the proxy server receives the search result (Wang: [0010]).

15. 11-13 Cancelled.

16. As for claim 14, Wang as modified discloses, a method as claimed in claim 1, in which the search result is provided in a medium and format suitable for the data terminal to which the search result is to be forwarded (Wang: [0002]; [0079]).

17. 15-19 Cancelled.

18. As for claim 20, Wang as modified discloses, a method as claimed in claim 1, wherein the user end terminal is a mobile device (Wang: [0010], portable computer).

19. As for claim 21, Wang as modified discloses, a method as claimed in claim 1, wherein at least one user preference comprises a formatting user preference which indicates how the search result should be formatted (Wang: [0070]).

20. 22. Cancelled.

21. As for claim 23, Wang as modified discloses, a method as claimed in claim 1, wherein the method further comprises the step of the proxy server modifying at least one search criterion in accordance to at least one user preference (Wang: [0008]).

22. As for claim 24, Wang as modified discloses, a method as claimed in claim 21, wherein the method further comprises the step of the proxy server modifying the search result according to at least one user preference (Wang: [0008]).

23. As for claim 25, Wang as modified discloses, a method as claimed in claim 1, wherein the at least one data source to which said search is forwarded to by the proxy server is determined by the proxy server in accordance with at least one user preference (Wang: [0010]; [0070]).

24. As for claim 26, Wang as modified discloses, a method as claimed in

claim 1, wherein the proxy server processes the returned search result to remove at least one result which is indicated by at least one user preference as not relevant to the user's listed interests (Wang: abstract).

25. As for claim 27, Wang as modified discloses, a method as claimed in claim 1, wherein the proxy server processes the returned search result to modify any returned cost value for an item or service indicated by the search result, the modification being according to a discount scheme associated with a user preference (Wang: [0084]).

26. As for claim 28, Wang as modified discloses, a method as claimed in claim 1, wherein the proxy server processes the search result to prioritise the delivery of at least one item listed by the search result to the user in accordance with number of search criteria said at least one item conforms with (Wang: [0129]).

27. Claim 29. Cancelled.

28. As for claim 30, Wang as modified discloses, a method as claimed in claim 1, wherein the search request is generated by the user end terminal modifying a previously stored search request in accordance with at least one updated search criterion (Wang: [0134]).

29. As for claim 31, Wang as modified discloses, a method as claimed in claim 1, wherein the set of at least one user preferences specifies a maximum time limit for the search results to be generated (Wang: [0084]; [0105]).

30. Claim 32. cancelled.

31. As for claim 33, Wang as modified discloses, a user end terminal arranged to be operable by a user for use in generating a search request using the method of claim 1 (Wang: abstract; [0010]).

32. As for claim 34, Wang as modified discloses, a proxy server arranged to receive a search request message from a user end terminal arranged to be operable by a user for use in generating a search request, the proxy server being arranged to be used in a method according to claim 1 (Wang: [0010]; [0047]).

33. As for claim 35, Wang as modified discloses, a tangible medium containing a suite of computer programs arranged to implement a method according to claim 1, the suite of computers being provided on the distributed computer system (Wang: fig. 1; [0040]).

34. As for claim 36, Wang as modified discloses, a signal carrying a search request generated by a method according to claim 1 over a communications network, the communications network comprising the distributed computer

system (Wang: [0040]).

35. As for claim 37, Wang as modified discloses, a communication network arranged to communicate a signal according to claim 36 (Wang: [0040]).

36. Claims 38-45 cancelled.

37. As for claim 46, Wang as modified discloses, a method of searching for data as in claim 1, wherein the telephone number addressed comprises an E 164 address (Olshansky: col. 18, lines 46-67).

38. As for claim 47, Wang as modified discloses, a method of searching for data as in claim 1, wherein said proxy server is a SIP proxy server (Olshansky: col. 5, lines 36-45) and wherein software of said end terminal and said proxy server are arranged to modify a specific search expression so that any results for information which are generated by the proxy server automatically have an appropriate format for the destination to which the search request message is to be forwarded to (Wang: [0010]).

39. As for claim 48, Wang as modified discloses, a method as claimed in claim 1, further comprising: storing the answer to the search query as an audio file (Wang: abstract); and converting the audio file using speech to text technology (Wang: [0005]).

40. As for claim 49, Wang as modified discloses, a method as in claim 1, wherein said telephone number is addressed via an IP-PSTN gateway, and the proxy server forwards the search request by phoning up the telephone number and speaking the search request using automated speech technology (Olshansky: col. 3, lines 26-32).

41. As for claim 50, Wang as modified discloses, a method as in claim 1, wherein in said step of generating the search request at the end user terminal, a suitable application is used to generate from a spoken search request the text comprising the search request (Wang: abstract).

42. As for claim 51, Wang as modified discloses, a method as in claim 1 wherein the proxy server is a SIP proxy server which modifies at least one search result or generates another form of notification to alert the user to the search result and to indicate to the user how the user may retrieve the search result (Olshansky: col. 5, lines 36-45).

43. As for claim 52, Wang as modified discloses, a method as in claim 1 further comprising the data source requesting additional information from the proxy server which enables the data source to provide additional information specific to an entity to which the search criteria relate (Wang: [0010]).

44. As for claim 53, Wang as modified discloses, a method as in claim 52 wherein the server is a SIP proxy server and in which the addition information is provided the SIP proxy server (Olshansky: col. 5, lines 36-45).

45. As for claim 54, Wang as modified discloses, a method as in claim 53 in which the SIP server is authorized to retrieve the additional information from a data source by the user (Olshansky: col. 5, lines 36-45).

46. As for claim 55, Wang as modified discloses, a method as in claim 54 in which the additional information is provided to the requesting data source without the user being aware of the content of the additional information provided (Wang: [0010]).

47. As for claim 56, Wang as modified discloses, a method as in claim 52 in which the additional information is provided only if the data source requesting it conforms with predetermined security criteria for receiving the additional information requested (Wang: [0084]).

48. As for claim 57, Wang discloses, a system for searching for data to be retrieved from a distributed computer system connected over a communications network (Wang: fig. 2), the system comprising:

means for initiating a search communications session at a user end terminal (Wang: abstract; [0010]);

means for generating a search request comprising at least one search criterion and a permanent user identifier which can be mapped to an address in the distributed computer system at said user end terminal in said search communications session (Wang: [0010]);

modifying the search request at a user end terminal to indicate at least one user preference (Wang: [0009]);

means for forwarding the search request to a proxy server (Wang: [0047]);

means for using automatic speech generation means to convert the search request to a suitable spoken version to query a data source addressed by a telephone number (Wang: [0005]);

means for forwarding the spoken version of the search request to said data source by phoning said telephone number (Wang: abstract);

means for speaking the search request as a telephone query using automated speech technology (Wang: [0005]);

means for generating a search result message comprising an audio file recording the answer given to the query (Wang: abstract);

means for conveying the search result message to the proxy server, whereby data satisfying the search request is retrievable from the distributed computer system by the user (Wang: [0047]);

providing the search result to a user end terminal selected in accordance with one or more user preferences after the initial search session has terminated (Wang: [0010]-[0011]), wherein additional information is included in the search request which is obtained either automatically or on request by the user's terminal or by the proxy server administering the search (Wang: [0010]).

Wang, however, does not explicitly disclose, "a permanent user identifier which can be mapped to an address in the distributed computer system";

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It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Olshansky into Wang of system and method for transcoding information for an audio or limited display user interface, that would have allowed users of Wang to have a useful method, to deliver communication services to customer devices, and more particularly to a multiservice network providing communication services. (Olshansky: col. 1, lines 6-9).

***Conclusion***

49. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Feinberg et al. (US 20040001579) teach systems and methods for voice and data communications including hybrid key system/pbx functionality.

Charlesworthy et al. (US 6873993) teach indexing method and apparatus.

***Contact Information***

50. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAZLUL QUADER whose telephone number

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is (571)270-1905. The examiner can normally be reached on M-F 8-5 Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FAZLUL QUADER  
Examiner  
Art Unit 2164

FQ  
04/11/2008

/Charles Rones/  
Supervisory Patent Examiner, Art Unit 2164